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Attorneys for Creditor,  
GEOSYNTEC CONSULTANTS, INC.

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

In re:

PACIFIC GAS AND ELECTRIC  
COMPANY,

Debtor.

Tax I.D. No. 94-0742640

Case No. 19-30089 (DM)

Chapter 11

**NOTICE OF PERFECTION OF  
MECHANIC'S LIEN PURSUANT TO 11  
U.S.C. § 546(b)**

GEOSYNTEC CONSULTANTS, INC. ("Geosyntec") files this Notice of Perfection of Mechanic's Lien Pursuant to 11 U.S.C. § 546(b). In support of this notice, Geosyntec represents as follows:

1. Geosyntec is an environmental consulting and engineering firm with a principal place of business at 1900 Broken Sound Parkway NW, Suite 200, Boca Raton, Florida 33487.
2. Debtor is the owner or reputed owner of real property located at the following addresses:
  - A. 275 Industrial Road, San Carlos, California (parcel no. 046-051-99-9);
  - B. 4801 Oakport St., Oakland, California (parcel nos. 34-2300-14 and 41-3904-5); and
  - C. 24300 Clawiter Rd, Hayward, California (parcel no. 441-65-24-2)(collectively the "Real Property").
3. Geosyntec furnished labor and/or materials for the design and construction of a

1 device for treating stormwater runoff for treated wood utility pole storage areas in order to improve  
2 the Real Property pursuant to Contract No. 4400007011 and Purchase Order No. 2700181342 with  
3 the Debtor.

4 4. After deducting all just credits and offsets, the sum of \$169,678.83, together with  
5 interest at the rate of 10% per annum from January 14, 2019 (the date when balance became due),  
6 remains currently due and owing to Geosyntec by the Debtor for labor and materials provided to  
7 the Debtor.

8 5. On or about February 20, 2019, Geosyntec timely filed and recorded verified  
9 mechanics lien claims in the official records of the Counties of Alameda and San Mateo, under  
10 Document Nos. 2019-011506 CONF, 2019032172 and 20190302171 (the "Mechanics Lien  
11 Claims"), pursuant to which Geosyntec holds a properly-perfected security interest in the Real  
12 Property. True and correct copies of the Mechanics Lien Claims are attached as Exhibit "A" and  
13 incorporated by reference.

14 6. Under California law, to enforce the Mechanics Lien Claims, Geosyntec must  
15 commence an action in California state court within 90 days after the recordation of its claims of  
16 lien. Cal. Civ. Code § 8460. On January 29, 2019, Debtor filed its Chapter 11 petition with this  
17 court (the "Petition"), effectively preventing Geosyntec from commencing an action in the  
18 California courts to enforce and perfect its mechanics lien rights.

19 7. As provided by 11 U.S.C. § 362(b)(3):

20 "[t]he filing of a petition under section 301, 302, or 303 of this title,  
21 . . . , does not operate as a stay-- . . . under subsection (a) of this  
22 section, of any act to perfect, or to maintain or continue the  
23 perfection of, an interest in property to the extent that the trustee's  
24 rights and powers are subject to such perfection under Section  
25 546(b) of this title or to the extent that such act is accomplished  
26 within the period provided under section 547(e)(2)(A) of this title."  
27 11 U.S.C. § 362(b)(3).

28 8. As provided by 11 U.S.C. § 546(b):

29 "(1) The rights and powers of a trustee under sections 544, 545, and  
30 549 of this title are subject to any generally applicable law  
31 that—

32 (A) permits perfection of an interest in property to be  
33 effective against an entity that acquires rights in such  
34 property before the date of perfection; or

(B) provides for the maintenance or continuation of perfection of an interest in property to be effective against an entity that acquires rights in such property before the date on which action is taken to effect such maintenance or continuation.

(2) If--

(A) a law described in paragraph (1) requires seizure of such property or commencement of an action to accomplish such perfection, or maintenance or continuation of perfection of an interest in property; and

(B) such property has not been seized or such an action has not been commenced before the date of the filing of the petition;

such interest in such property shall be perfected, or perfection of such interest shall be maintained or continued, by giving notice within the time fixed by such law for such seizure or such commencement.” 11 U.S.C. § 546(b).

9. The California mechanics lien law (Cal. Civ. Code § 8200) is a generally applicable law that is described in 11 U.S.C. § 546(b)(2)(A) and (B), and provides for the rights and remedies set forth in Section 546(b)(2)(A) and (B).

10. As noted above, Geosyntec was not able to commence an action to enforce the Mechanics Lien Claims before the filing of the Petition.

**11. Accordingly, Geosyntec hereby gives notice in lieu of commencement of such actions to perfect, maintain and continue perfection of the interest of Mechanics Lien Claims in the Real Property pursuant to 11 U.S.C. § 546(b), including, but not limited to, the filing of a lawsuit to enforce and/or foreclose on the Mechanics Lien Claims, the filing of any Lis Pendens or the service of notice on purchasers of production from the Real Property. By virtue of this notice and applicable law, Geosyntec demands adequate protection of its interests in the Real Property.**

12. Geosyntec reserves the right to supplement and/or amend this notice. Geosyntec further reserves all rights under applicable law.

Dated: February 22, 2019

**VARELA, LEE, METZ & GUARINO, LLP**

By: /s/ Andrew Van Ornum

Andrew Van Ornum

Steven P. Chasey

Attorneys for Creditor,

GEOSYNTEC CONSULTANTS, INC.

# EXHIBIT A

Recording requested by (name):

Ian Anderson

When recorded, mail to (name and address):

Ian Anderson

Geosyntec Consultants

1111 Broadway, 6th Floor

Oakland, CA 94607

**2019-011506 CONF**

4:07 pm 02/20/19 MLL Fee: 98.00

Count of pages 3

Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



Recorder's Use Only

## CLAIM OF MECHANICS LIEN

(Cal. Civ. Code § 8416)

### Declaration of Exemption From Gov't Code § 27388.1 Fee

- ☐ Transfer is exempt from fee per GC § 27388.1(a)(2):
- ☐ recorded concurrently "in connection with" transfer subject to DTT
- ☐ recorded concurrently "in connection with" a transfer of residential dwelling to an owner-occupier
- ☐ Transfer is exempt from fee per GC 27388.1(a)(1):
- ☐ Fee cap of \$225.00 reached ☐ Not related to real property

1. Geosyntec Consultants, Inc. ("claimant") claims a mechanics lien for the labor or services or equipment or materials described in paragraph 2, furnished for a work of improvement on that certain real property located in the County of San Mateo, State of California, and more particularly described as (address and/or sufficient description): 1275 Industrial Road, San Carlos (parcel # 046-051-99-9).


2. After deducting all just credits and offsets, the sum of \$39,343.11, together with interest at the rate of 10% per annum from 01/14/2019 (date when balance became due), is due claimant for the following labor, materials, services, or equipment: Design and construction of a device for treating stormwater runoff from for treated wood utility pole storage areas pursuant to Contract #4400007011 and Purchase Order #2700181342.

3. Claimant furnished the labor or services or equipment or materials, at the request of Pacific Gas and Electric Company (employer, person, or entity to whom labor, materials, services, or equipment were furnished).

4. The name and address of the owner or reputed owner of the real property is/are: Pacific Gas and Electric Company, 77 Beale Street, San Francisco, California, 94105

5. Claimant's address is: 1900 Broken Sound Pkwy NW, Suite 200, Boca Raton, FL 33487

Dated 2/19/19


  
(Signature)

### VERIFICATION

I, Brandon Steets, am the: Senior Principal ("owner," "president," "authorized agent," "partner," etc.) of claimant on the foregoing claim of mechanics lien, and am authorized to make this verification for and on its behalf. I have read the foregoing claim of mechanics lien and know the contents of the claim of mechanics lien to be true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated 2/19/19

  
(Signature)

**NOTICE OF MECHANICS LIEN CLAIM  
ATTENTION!**

Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is release.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS' STATE LICENSE BOARD WEB SITE AT [www.cslb.ca.gov](http://www.cslb.ca.gov).

**PROOF OF SERVICE AFFIDAVIT**  
**California Civil Code section 8416**

Failure to serve the Mechanic's Lien and Notice of Mechanic's Lien on the owner, or alternatively if the owner cannot be served on the lender or direct contractor, shall cause the Mechanic's Lien to be unenforceable as a matter of law (Civil Code Section 8024(d)). Service of the Mechanic's Lien and Notice of Mechanic's Lien must be by (1) registered mail, (2) certified mail, or (3) first-class mail evidenced by a certificate of mailing, postage prepaid, and to a residence or business address for the owner, lender or contractor. Further, a Proof of Service Affidavit (below) must be completed and signed by the person serving the Mechanic's Lien and Notice of Mechanic's Lien. This page should be completed (either one of the sections below) and recorded with the County Recorder along with the Mechanic's Lien and Notice of Mechanic's Lien.

**PROOF OF SERVICE AFFIDAVIT (ON OWNER)**  
**California Civil Code section 8416(a)(7) and (c)(1)**

I, Harley Chea (name), declare that I served a copy of this Mechanic's Lien and Notice of Mechanic's Lien by registered mail, certified mail, or first-class mail evidenced by a certificate of mailing, postage prepaid, addressed as follows to the owner(s) or reputed owner(s) of the property:

Company/Person Served: Linda Y.H. Cheng

Title or capacity of person served (if appropriate): Agent for Service of Process

Service address: 77 Beale Street, 24th Floor, San Francisco, CA 94105

Said service address is the owner's residence, place of business, or address showed by the building permit on file with the permitting authority for the work.

Executed on Feb 20, 2019 (date) at San Francisco (city), San Francisco (county), California.

By:   
(Signature of person making service)

**ALTERNATE PROOF OF SERVICE AFFIDAVIT (ON LENDER OR DIRECT CONTRACTOR)**

**California Civil Code Section 8416(a)(7) and (c)(2)**

I, \_\_\_\_\_ (name), declare that the owner or reputed owner cannot be served with a copy of this Mechanic's Lien and Notice of Mechanic's Lien by registered mail, certified mail, or first-class mail. Pursuant to California civil Code section 8416(c)(2), I served a copy of this Mechanic's Lien and Notice of Mechanic's Lien by registered mail, certified mail, or first-class mail evidenced by a certificate of mailing, postage prepaid, addressed as follows to the construction lender or direct contractor as follows:

Company/Person Served: \_\_\_\_\_

Title or capacity of person served (if appropriate): \_\_\_\_\_

Service address: \_\_\_\_\_

Executed on \_\_\_\_\_, 20\_\_\_\_ (date) at \_\_\_\_\_ (city), \_\_\_\_\_ (county), California.

By: \_\_\_\_\_  
(Signature of person making service)



Recording requested by (name):

Ian Anderson

When recorded, mail to (name and address):

Ian Anderson

Geosyntec Consultants

1111 Broadway, 6th Floor

Oakland, CA 94607



2019032172

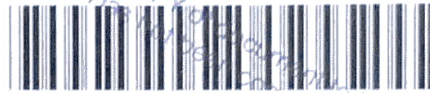
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OFFICIAL RECORDS OF ALAMEDA COUNTY

MELISSA WILK

RECORDING FEE:

105.00



3 PGS

Recorder's Use Only

## CLAIM OF MECHANICS LIEN

(Cal. Civ. Code § 8416)

### Declaration of Exemption From Gov't Code § 27388.1 Fee

- ☐ Transfer is exempt from fee per GC § 27388.1(a)(2):
- ☐ recorded concurrently "in connection with" transfer subject to DTT
  - ☐ recorded concurrently "in connection with" a transfer of residential dwelling to an owner-occupier
- ☐ Transfer is exempt from fee per GC 27388.1(a)(1):
- ☐ Fee cap of \$225.00 reached
  - ☐ Not related to real property

1. Geosyntec Consultants, Inc. ("claimant") claims a mechanics lien for the labor or services or equipment or materials described in paragraph 2, furnished for a work of improvement on that certain real property located in the County of Alameda, State of California, and more particularly described as (address and/or sufficient description): 4801 Oakport St., Oakland (parcel # 34-2300-14 and 41-3904-5).

2. After deducting all just credits and offsets, the sum of \$69,870.64, together with interest at the rate of 10% per annum from 01/14/2019 (date when balance became due), is due claimant for the following labor, materials, services, or equipment: Design and construction of a device for treating stormwater runoff from for treated wood utility pole storage areas pursuant to Contract #4400007011 and Purchase Order #2700181342.

3. Claimant furnished the labor or services or equipment or materials, at the request of Pacific Gas and Electric Company (employer, person, or entity to whom labor, materials, services, or equipment were furnished).

4. The name and address of the owner or reputed owner of the real property is/are: Pacific Gas and Electric Company, 77 Beale Street, San Francisco, California, 94105

5. Claimant's address is: 1900 Broken Sound Pkwy NW, Suite 200, Boca Raton, FL 33487

Dated 2/19/19

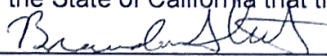
  
(Signature)

### VERIFICATION

I, Brandon Steets, am the: Senior Principal ("owner," "president," "authorized agent," "partner," etc.) of claimant on the foregoing claim of mechanics lien, and am authorized to make this verification for and on its behalf. I have read the foregoing claim of mechanics lien and know the contents of the claim of mechanics lien to be true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated 2/19/19

  
(Signature)

**NOTICE OF MECHANICS LIEN CLAIM  
ATTENTION!**

Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is release.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS' STATE LICENSE BOARD WEB SITE AT [www.cslb.ca.gov](http://www.cslb.ca.gov).

**PROOF OF SERVICE AFFIDAVIT**  
**California Civil Code section 8416**

Failure to serve the Mechanic's Lien and Notice of Mechanic's Lien on the owner, or alternatively if the owner cannot be served on the lender or direct contractor, shall cause the Mechanic's Lien to be unenforceable as a matter of law (Civil Code Section 8024(d)). Service of the Mechanic's Lien and Notice of Mechanic's Lien must be by (1) registered mail, (2) certified mail, or (3) first-class mail evidenced by a certificate of mailing, postage prepaid, and to a residence or business address for the owner, lender or contractor. Further, a Proof of Service Affidavit (below) must be completed and signed by the person serving the Mechanic's Lien and Notice of Mechanic's Lien. This page should be completed (either one of the sections below) and recorded with the County Recorder along with the Mechanic's Lien and Notice of Mechanic's Lien.

**PROOF OF SERVICE AFFIDAVIT (ON OWNER)**  
**California Civil Code section 8416(a)(7) and (c)(1)**

I, Harley Chea (name), declare that I served a copy of this Mechanic's Lien and Notice of Mechanic's Lien by registered mail, certified mail, or first-class mail evidenced by a certificate of mailing, postage prepaid, addressed as follows to the owner(s) or reputed owner(s) of the property:

Company/Person Served: Linda Y.H. Cheng

Title or capacity of person served (if appropriate): Agent for Service of Process

Service address: 77 Beale Street, 24th Floor, San Francisco, CA 94105

Said service address is the owner's residence, place of business, or address showed by the building permit on file with the permitting authority for the work.

Executed on Feb 20, 2019 (date) at San Francisco (city), San Francisco (county), California.

By:   
(Signature of person making service)

**ALTERNATE PROOF OF SERVICE AFFIDAVIT (ON LENDER OR DIRECT CONTRACTOR)**

**California Civil Code Section 8416(a)(7) and (c)(2)**

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Company/Person Served: \_\_\_\_\_

Title or capacity of person served (if appropriate): \_\_\_\_\_

Service address: \_\_\_\_\_

Executed on \_\_\_\_\_, 20\_\_\_\_ (date) at \_\_\_\_\_ (city), \_\_\_\_\_ (county), California.

By: \_\_\_\_\_  
(Signature of person making service)

Recording requested by (name):

Ian Anderson

When recorded, mail to (name and address):

Ian Anderson

Geosyntec Consultants

1111 Broadway, 6th Floor

Oakland, CA 94607



2019032171

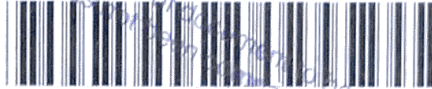
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OFFICIAL RECORDS OF ALAMEDA COUNTY

MELISSA WILK

RECORDING FEE:

108.00



4 PGS

Recorder's Use Only

## CLAIM OF MECHANICS LIEN

(Cal. Civ. Code § 8416)

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- ☐ Transfer is exempt from fee per GC § 27388.1(a)(2):
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  - ☐ recorded concurrently "in connection with" a transfer of residential dwelling to an owner-occupier
- ☐ Transfer is exempt from fee per GC 27388.1(a)(1):
- ☐ Fee cap of \$225.00 reached
  - ☐ Not related to real property

1. Geosyntec Consultants, Inc. ("claimant") claims a mechanics lien for the labor or services or equipment or materials described in paragraph 2, furnished for a work of improvement on that certain real property located in the County of Alameda, State of California, and more particularly described as (address and/or sufficient description): 24300 Clawiter Rd, Hayward (parcel # 441-65-24-2).

2. After deducting all just credits and offsets, the sum of \$60,465.08, together with interest at the rate of 10% per annum from 01/14/2019 (date when balance became due), is due claimant for the following labor, materials, services, or equipment: Design and construction of a device for treating stormwater runoff from for treated wood utility pole storage areas pursuant to Contract #4400007011 and Purchase Order #2700181342.

3. Claimant furnished the labor or services or equipment or materials, at the request of Pacific Gas and Electric Company (employer, person, or entity to whom labor, materials, services, or equipment were furnished).

4. The name and address of the owner or reputed owner of the real property is/are: Pacific Gas and Electric Company, 77 Beale Street, San Francisco, California, 94105

5. Claimant's address is: 1900 Broken Sound Pkwy NW, Suite 200, Boca Raton, FL 33487

Dated 2/19/19

[Signature]  
(Signature)

### VERIFICATION

I, Brandon Steets, am the: Senior Principal ("owner," "president," "authorized agent," "partner," etc.) of claimant on the foregoing claim of mechanics lien, and am authorized to make this verification for and on its behalf. I have read the foregoing claim of mechanics lien and know the contents of the claim of mechanics lien to be true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated 2/19/19

[Signature]  
(Signature)



**NOTICE OF MECHANICS LIEN CLAIM  
ATTENTION!**

Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is release.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS' STATE LICENSE BOARD WEB SITE AT [www.cslb.ca.gov](http://www.cslb.ca.gov).

**PROOF OF SERVICE AFFIDAVIT**  
**California Civil Code section 8416**

Failure to serve the Mechanic's Lien and Notice of Mechanic's Lien on the owner, or alternatively if the owner cannot be served on the lender or direct contractor, shall cause the Mechanic's Lien to be unenforceable as a matter of law (Civil Code Section 8024(d)). Service of the Mechanic's Lien and Notice of Mechanic's Lien must be by (1) registered mail, (2) certified mail, or (3) first-class mail evidenced by a certificate of mailing, postage prepaid, and to a residence or business address for the owner, lender or contractor. Further, a Proof of Service Affidavit (below) must be completed and signed by the person serving the Mechanic's Lien and Notice of Mechanic's Lien. This page should be completed (either one of the sections below) and recorded with the County Recorder along with the Mechanic's Lien and Notice of Mechanic's Lien.

**PROOF OF SERVICE AFFIDAVIT (ON OWNER)**  
**California Civil Code section 8416(a)(7) and (c)(1)**

I, Harley CHea (name), declare that I served a copy of this Mechanic's Lien and Notice of Mechanic's Lien by registered mail, certified mail, or first-class mail evidenced by a certificate of mailing, postage prepaid, addressed as follows to the owner(s) or reputed owner(s) of the property:

Company/Person Served: Linda Y.H. Cheng

Title or capacity of person served (if appropriate): Agent for Service of Process

Service address: 77 Beale Street, 24th Floor, San Francisco, CA 94105

Said service address is the owner's residence, place of business, or address showed by the building permit on file with the permitting authority for the work.

Executed on Feb 20, 2019 (date) at San Francisco (city), San Francisco (county), California.

By:   
(Signature of person making service)

**ALTERNATE PROOF OF SERVICE AFFIDAVIT (ON LENDER OR DIRECT CONTRACTOR)**

**California Civil Code Section 8416(a)(7) and (c)(2)**

I, \_\_\_\_\_ (name), declare that the owner or reputed owner cannot be served with a copy of this Mechanic's Lien and Notice of Mechanic's Lien by registered mail, certified mail, or first-class mail. Pursuant to California civil Code section 8416(c)(2), I served a copy of this Mechanic's Lien and Notice of Mechanic's Lien by registered mail, certified mail, or first-class mail evidenced by a certificate of mailing, postage prepaid, addressed as follows to the construction lender or direct contractor as follows:

Company/Person Served: \_\_\_\_\_

Title or capacity of person served (if appropriate): \_\_\_\_\_

Service address: \_\_\_\_\_

Executed on \_\_\_\_\_, 20\_\_\_\_ (date) at \_\_\_\_\_ (city), \_\_\_\_\_ (county), California.

By: \_\_\_\_\_  
(Signature of person making service)